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STATE OF ALASKA

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Press Release

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Department Reinforces State Law Regarding Naturopathic Prescriptive Authority

(Juneau, AK) – The Department of Commerce, Community, and Economic Development adopted new regulations clarifying the prescriptive authority of licensed naturopaths practicing in Alaska. Upon advice from the Attorney General's office that its regulations did not clearly reflect state law, the department took steps to rewrite its rules to conform to the statute.

The Legislature mandated licensure of naturopathic doctors in 1986. Current Alaska statute, AS 08.45.050, states naturopaths "may not give, prescribe, or recommend in the practice a prescription drug." The Department of Law has interpreted this to prohibit all prescription drugs regardless if it is an herbal or homeopathic remedy, or dietetic substance.

Public testimony on recently proposed legislation revealed confusion among licensees and the public stemming from differences between statute and regulations. The Department of Law counseled that regulations cannot confer any authority beyond that clearly authorized by statute.

New language that more closely conforms to statute was proposed by the department in December 2012. The department delayed the finalization of the conforming changes to regulations to provide the Legislature an opportunity to revise the statute. After considering public comment and input from licensees, the conforming changes were adopted. The division director signed the regulations today.

A copy of the statute regulating naturopathy, as well as the new regulations, can be found online at

<http://commerce.alaska.gov/dnn/cbpl/ProfessionalLicensing/Naturopathy.aspx>.

The mission of the Division of Corporations, Business and Professional Licensing is to ensure that competent, professional, and regulated commercial services are available to Alaska consumers. The division is one of several within the department tasked with consumer protection, along with the Regulatory Commission of Alaska, the Alcoholic Beverage Control Board, the Division of Banking and Securities, and the Division of Insurance. For more information about the department, visit www.commerce.alaska.gov.

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